

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SPRINGFIELD DIVISION**

PAUL THAYIL,

Plaintiff,

v.

SIMON COWELL, ET AL.,

Defendants.

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Case No. 10-3200-CV-S-RED

**PLAINTIFF'S RESPONSE TO DEFENDANT EMI ENTERTAINMENT WORLD INC.'S
MOTION TO DISMISS THE COMPLAINT PURSUANT TO FED. R. CIV. P. 12(b)(2),
(3), (5) AND (6), WITH SUGGESTIONS IN SUPPORT**

NOW COMES Paul Thayil, Plaintiff, to file this Plaintiff's Response to Defendant EMI Entertainment World Inc.'s Motion to Dismiss the Complaint Pursuant to Fed. R. Civ. P. 12(b)(2), (3), (5) and (6), With Suggestions in Support and shows the Court the following, to wit:

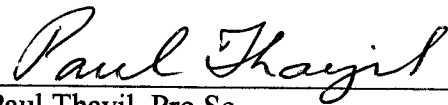
1. Plaintiff's ideas and concepts originated in Australia. Under the laws of Australia, the registration process of ideas and concepts is the equivalent to the copyright and patent process in the United States. As an additional measure, original copyright documents to the United States Consulate General in Sydney, Australia were posted. This was also needed to obtain permission from the government in Australia to take Plaintiff's marketing plan to the United States so that he could contract with as many musicians and dancers as possible to MusicFlow productions, the company Plaintiff was working under at that time and at present time.

2. Defendant purports that Plaintiff has not alleged facts sufficient to support his claims; however, Plaintiff's Original Complaint is not considered the trial. Defendant is wanting all of the evidence that would be presented at trial; however, many of those factual allegations will be revealed through the discovery process.

3. Plaintiff is asking for much more than punitive damages. Defendant implemented fraud, misappropriation, trickery, deception and theft in bad faith as well as deprived Plaintiff of equal protection of the laws.

WHEREFORE, for the objections set forth herein to the Defendants' Motion to Dismiss, the Plaintiff hereby requests that *Defendant EMI Entertainment World Inc.'s Motion to Dismiss the Complaint Pursuant to Fed. R. Civ. P. 12(b)(2), (3), (5) and (6), With Suggestions in Support* be DENIED.

Respectively submitted,

A handwritten signature in cursive script, reading "Paul Thayil", is written over a horizontal line.

Paul Thayil, Pro Se
2020 E. Kerr St., Apt. C-109
Springfield, Missouri 65803
(417) 619-1792

VERIFICATION

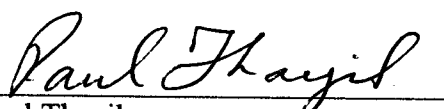
IT IS HEREBY Verified that under the penalties of perjury that the foregoing Plaintiff's Response to Defendant EMI Entertainment World Inc.'s Motion to Dismiss the Complaint Pursuant to Fed. R. Civ. P. 12(b)(2), (3), (5) and (6), With Suggestions in Support is true and correct to the best of my knowledge and belief.

Witness my hand and seal this 16th day of July, 2010.


Paul Thayil

CERTIFICATE OF SERVICE

IT IS HEREBY Certified that the foregoing Plaintiff's Response to Defendant EMI Entertainment World Inc.'s Motion to Dismiss the Complaint Pursuant to Fed. R. Civ. P. 12(b)(2), (3), (5) and (6), With Suggestions in Support has been mailed by First Class United States Mail to the following on the 16th day of July, 2010.


Paul Thayil

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